



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

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Mail Stop: ECL-111

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Charles McKeever
General Manager
United Western Supply Co.
5245 East Marginal Way S
Seattle, WA 98124

Re: Supplemental Request for Information Pursuant to Section 104(e) of CERCLA, for the Lower Duwamish Waterway Superfund Site, Seattle, Washington

Site: United Western Supply Co.
5245 East Marginal Way S
Seattle, WA 98124

King County Parcel: 1924049052

Dear Mr. McKeever:

The United States Environmental Protection Agency, Region 10 (EPA) continues to investigate the releases or threat of releases of hazardous substances associated with the Lower Duwamish Waterway Superfund Site ("LDW Superfund Site"). EPA seeks your cooperation in this investigation.

EPA reviewed your response to the Request for Information dated January 29, 2009, and has additional and clarifying questions that are set forth in the enclosed Supplemental Information Request. This information will be used for the purposes of determining the need for response, or choosing or taking any response action at the LDW Superfund Site, and to identify potentially responsible parties for performing the cleanup.

Section 104(e) of CERCLA, 42 U.S.C. § 9604(e), requires you to respond to the requests set forth in the Supplemental Information Request.

Failure to provide a complete, truthful response to this Supplemental Information Request within sixty (60) days of your receipt of this letter, or to adequately justify such failure to respond, may subject you to an enforcement action pursuant to Section 104(e) of CERCLA. The statute permits EPA to seek the imposition of penalties of up to thirty-seven thousand five

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hundred dollars (\$37,500) for each day of non-compliance.

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Please note that responses which are incomplete, ambiguous, or evasive may be treated as non-compliance with this Supplemental Information Request. Provision of false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001.

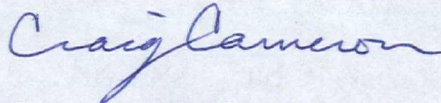
Your response to this Supplemental Information Request should be mailed to:

United States Environmental Protection Agency, Region 10
Aaron Lambert, Environmental Protection Specialist
Environmental Cleanup Office, ECL-111
1200 Sixth Ave. Suite 900
Seattle, Washington 98101

If you have questions concerning this letter or the LDW Superfund Site, please contact Aaron Lambert at (206) 553-5122. Any communication by any attorney on your behalf should be directed to Alexander Fidis, EPA Office of Regional Counsel, at (206) 553-4710.

Thank you for your cooperation in this matter.

Sincerely,



Craig Cameron, Unit Manager
Site Cleanup Unit #3
Office of Environmental Cleanup

Enclosures:

Supplemental Information Request
Definitions
Instructions
Declaration

cc: Dan Cargill, Ecology/NWRO

U.S. EPA

CERCLA SECTION 104(e)

SUPPLEMENTAL INFORMATION REQUEST

Please note: This Supplemental Information Request includes instructions for responding to this request and definitions of words such as "Respondent," "Site," and "identify" used in the questions. Any references to specific question numbers refer to the First Information Request, dated January 29, 2009.

INFORMATION REQUEST QUESTIONS

1. Respondent Information

- a. Provide the full legal name and mailing address of the Respondent.
- b. For each person answering these questions on behalf of Respondent, provide:
 - i. full name;
 - ii. title;
 - iii. business address; and
 - iv. business telephone number and FAX machine number.

2. Site Activities and Interests

- a. Provide all information and documentation regarding the drainage system(s) at the property both indoors and outdoors, including, but not limited to a description of all catch basins and drains, inside and outside of the warehouse, the construction and installation plans, repairs, renovations, and visual inspections.
- b. Describe in detail the process of transporting and bagging sand at the facility, including, but not limited to, cleanup and disposal practices. Provide all documentation available related to sandblasting operations at the facility.
- c. Provide a detailed description and documentation about the daily operations of producing

and distributing foundry and abrasive products, equipment, parts, and supplies, including, but not limited to the handling and disposal of sand, garnet, aluminum oxide, silicon, carbides, coal slag, and the various types of cements, refractories, and specialty products used at the UWS foundry.

- d. Provide all documents not previously provided in response to the initial Request for Information, or otherwise provided in response to this Supplemental Information Request, regarding environmental conditions of the Site. Environmental conditions of the Site includes information related to soil, sediment, water (ground and surface), and air quality, such as, but not limited to:
 - i. All spills, leaks, releases, or discharges of a hazardous substance, waste, or material at or near the Site;
 - ii. Occurrences of violations, citations, deficiencies, and/or accidents concerning the Site;
 - iii. Remediation or removal of contaminated soils, sediments, or other media at the Site; and
 - iv. Investigations, inspections, sampling, and reports generated by Respondent and/or others regarding the Site and surrounding area.

6. Compliance with This Request

- a. Describe all sources reviewed or consulted in responding to this request, including, but not limited to:
 - i. the name and current job title of all individuals consulted;
 - ii. the location where all documents reviewed are currently kept.

INSTRUCTIONS

1. Answer Each Question Completely. Provide a separate answer to each question and subpart set forth in this Supplemental Information Request. Incomplete, evasive, or ambiguous answers shall constitute failure to respond to this Supplemental Information Request and may subject the Respondent to the penalties set out in the cover letter.
2. Response Format and Copies. Provide the responses to this Supplemental Information Request and at least one copy of all requested documents either electronically or on paper (hard copy). Your submission, whether electronic or hard copy, must include an index that lists all the responsive documents provided, and that indicates where each document is referenced in the written response, and to which question or questions each document is responsive. Additionally, please clearly identify and segregate all information you determine to be Confidential Business Information (CBI).

If providing your response electronically, it must be submitted on a compact disc in Portable Document Format (PDF) and comply with the following requirements:

- a. CBI and personally identifiable information should be provided on separate media (e.g., a separate CD) and marked as such to ensure information is appropriately handled and physically separated from the other response information in EPA's files.
 - b. The declaration must be provided in hard copy with an original signature.
 - c. All documents originally smaller than 11 by 17 inches can be submitted electronically; all documents originally larger than 11 by 17 inches must be submitted in hard copy.
 - d. Electronic PDF files cannot be submitted in Adobe Acrobat versions above 6 (or above PDF format version 1.5 if not using Adobe).
 - e. Electronic PDF files must be text-searchable.
 - f. The document index must clearly identify all single electronic document which has been separated into multiple electronic files (because of size limitation or otherwise) and each component file that comprises the full document.
3. Number Each Answer. Number each answer with the number of the question to which it corresponds.
 4. Provide the Best Information Available. Provide responses to the best of Respondent's ability, even if the information sought was never put down in writing or if the written documents are no longer available. Seek out responsive information from current and former employees/agents. Submission of cursory responses when other responsive information is available to the Respondent will be considered noncompliance with this Supplemental Information Request.
 5. Identify Information Sources. For each question, identify all persons and documents

relied upon for the answer.

6. Confidential Information. The information requested herein must be provided even though the Respondent may contend that it includes confidential information or trade secrets. The Respondent may assert a confidentiality claim covering part or all of the information requested, pursuant to 42 U.S.C. §§ 9604(e)(7)(E) and (F), and 40 C.F.R. § 2.203(b). All information claimed to be confidential should be contained on separate sheet(s) and should be clearly identified as "trade secret" or "proprietary" or "company confidential." A confidentiality claim should be supported by the submission of information consistent with 40 C.F.R. Part 2. Information covered by a confidentiality claim will be disclosed by EPA only to the extent, and only by means of the procedures, provided in 40 C.F.R. §§ 2.201-2.311. **If no such claim accompanies the information received by EPA, it may be made available to the public by EPA without further notice.**
7. Disclosure to EPA Contractor. Information submitted in response to this Supplemental Information Request may be disclosed by EPA to authorized representatives of the United States, pursuant to 40 C.F.R. § 2.310(h), even if the Respondent asserts that all or part of it is confidential business information. EPA may provide this information to its contractors for the purpose of organizing and/or analyzing the information contained in the responses to this Supplemental Information Request. If submitting information and asserting it is entitled to treatment as confidential business information, the Respondent may comment on EPA's intended disclosure within 14 days of receiving this Supplemental Information Request.
8. Personally Identifiable Information. Personnel and medical files, and similar files the disclosure of which to the general public may constitute an invasion of privacy, should be segregated from responses, included on separate sheet(s), and marked as "Personally Identifiable Information". Note, however, that unless prohibited by law, EPA may disclose this information to the general public without further notice.
9. Objections. The Respondent must provide responsive information notwithstanding objections to certain questions. To object without providing responsive information may subject Respondent to the penalties set out in the cover letter.
10. Privilege. If a privilege is asserted for any document responsive to this Supplemental Information Request, identify (see Definitions) the document and provide the basis for assertion. If a privilege exists for only a portion of a document, provide the portion of the document that is not asserted be privileged, identify the portion that is asserted to be privileged, and provide the basis for asserting privilege. **Please note that regardless of the assertion of any privilege, any facts contained in the document which are responsive to the Supplemental Information Request must be disclosed in your response.**
11. Declaration. The Respondent must complete the enclosed declaration, certifying the accuracy of all statements in your response.

DEFINITIONS

All terms not defined herein shall have their ordinary meaning, unless such terms are defined in Section 101 of CERCLA, 42 U.S.C. § 9601, *et seq.*, or Volume 40 of the Code of Federal Regulations (CFR), in which case such statutory or regulatory definitions shall apply.

The following definitions shall apply to the following words as they appear in this Enclosure:

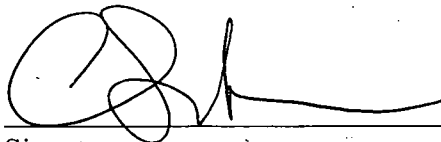
1. The term "Respondent" shall mean the addressee of this Request, together with the addressee's agents, employees, and contractors.
2. The terms "document" and "documents" shall mean any method of recording, storing, or transmitting information. "Document" shall include, but not be limited to:
 - a. writings of any kind, including, but not limited to, all of the following:
 - i. letters, memoranda, fax transmittals;
 - ii. meeting minutes, telephone records, notebooks;
 - iii. agreements and contracts;
 - iv. reports to shareholders, management, or government agencies;
 - v. transportation manifests;
 - vi. copies of any document.
 - b. all film, photographs, or sound recordings on any type of device;
 - c. all blueprints or drawings;
 - d. attachments to, or enclosures with, any document.
3. The term "identify" means, with respect to a natural person, to set forth: (a) the person's full name, (b) present or last known business and home addresses and telephone numbers; and (c) present or last known employer (include full name and address) with job title, position, or business.

4. The term "identify" means, with respect to a corporation, partnership, business trust, or other entity, to set forth: (a) its full name; (b) complete street address; (c) legal form (e.g., corporation, partnership, etc.); (d) the state under whose laws the entity was organized; and (e) a brief description of its business.
5. The term "identify" means, with respect to a document, to provide: (a) its customary business description (e.g., letter, invoice); (b) its date; (c) its number if any (e.g., invoice or purchase order number); (d) the identity of the author, addressee, and/or recipient; and (e) a summary of the substance or the subject matter. **Alternatively**, Respondent may provide a complete copy of the document.
6. The term "material" or "materials" shall mean any and all raw materials, commercial products, wastes, chemicals, substances, or matter of any kind.
7. The "period being investigated" and "the relevant time period" shall mean the date of Respondent's first involvement at the Site to present.
8. The term "property" shall mean any interest in real or personal property whatsoever, including fee interests, leases, licenses, rental, and mineral rights.
9. The "Site" shall mean any or all property or area described as or near 5245 East Marginal Way S (5409 Ohio Avenue S); and King County Tax Parcel: 1924049051.
10. The term "waste" or "wastes" shall mean and include trash, garbage, refuse, by-products, solid waste, hazardous waste, hazardous substances, and pollutants or contaminants, whether solid, liquid, or sludge, including, but not limited to, building debris and asbestos-containing material.
11. The term "business activities" shall mean all actions, endeavors, ventures, or financing arrangements related in any manner whatsoever to the use and development of the Site, including surveying, sampling, grading, documentation, photography, demolition, construction, and waste disposal, and sales.

DECLARATION

I declare under penalty of perjury that I am authorized to respond on behalf of Respondent and that the foregoing is complete, true, and correct.

Executed on March 5, 2012.



Signature

Charles McKeever

Type or Print Name

General Manager

Title

Mailing Address:

Charles McKeever, General Manager
5245 E. Marginal Way S
Seattle, WA 98134-2409